



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA

REGINALD HOYLE,

Plaintiff,

vs.

COCA-COLA CONSOLIDATED, INC.  
and INDEMNITY INSURANCE  
COMPANY OF NORTH AMERICA

Intervenor Plaintiffs,

vs.

JERRY MITCHELL, JR. and JR'S  
TOWING & RECOVERY,

Defendants.

Civil Action

File No: 1:22-cv-00488-MLB

**ORDER**

Pursuant to Rule 24 of the Federal Rules of Civil Procedure, the applicants, Coca-Cola Consolidated, Inc. and Indemnity Insurance Company of North America, move this Court to intervene in this personal injury lawsuit as a party Plaintiff. This lawsuit arises from an accident that occurred on or about December 23, 2020, when the Plaintiff, Reginald Hoyle, was injured while he was acting in the course of his employment with Coca-Cola Consolidated, Inc.

Coca-Cola Consolidated, Inc. and Indemnity Insurance Company of North America have shown that Plaintiff Hoyle has received benefits under the Workers' Compensation Act (O.C.G.A. § 34-9-1 et. seq.), and now seek to intervene pursuant to O.C.G.A. § 34-9-11.1(b), claiming a subrogation lien against Plaintiff's potential tort recovery.

Rule 24 of the Federal Rules of Civil Procedure provides that any entity may intervene as a matter of right when the entity claims an interest relating to the transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter may impair or impede the movant's ability to protect its interest. Upon review of the record, and under the authority of O.C.G.A. § 34-9-11.1(b), this Court finds that Coca-Cola Consolidated, Inc. and Indemnity Insurance Company have a subrogation lien against the Plaintiff's recovery from the alleged Defendants, and have a right to intervene in order to protect and enforce their potential subrogation lien against the Plaintiff's tort recovery, if any. Accordingly, pursuant to Rule 24 of the Federal Rules of Civil Procedure, this Court grants Coca-Cola Consolidated, Inc. and Indemnity Insurance Company of North America's Motion to Intervene into this action as party Plaintiffs.

THIS \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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JUDGE SARAH E. GERAGHTY, United  
States District Court for the Northern  
District of Georgia

Prepared by:

/s/ Christopher A. Whitlock

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